

REMARKS

Reconsideration of the present application as amended is respectfully requested.

In the Office Action, the specification was objected to for an informality on page 5. In response, the specification has been amended to correct the informality noted by the Examiner, as well as to correct another informality. It is respectfully submitted that objection to the specification has been overcome, and withdrawal of this objection to the specification is respectfully requested.

In the Office Action, claims 10-13 were rejected under 35 U.S.C. §112, first paragraph, as being "a single means claim". Claims 10-13 were also rejected under 35 U.S.C. §101. Without agreeing with the Examiner, and to expedite allowance of the present application, claims 10-13 have been cancelled without prejudice. However, Applicant reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, it was alleged that claims 9 and 13 contain a feature not taught in the specification. Without agreeing with the Examiner, and to expedite allowance of the

present application, the noted feature of claim 9 has been added to the specification. No new matter is added, since the claims are part of the present application. Further as noted above, claim 13 has been cancelled without prejudice.

In the Office Action, the Examiner indicated that claims 17-18 are allowed, and that claims 7-8 and 15-16 would be allowable if rewritten in independent form. Applicant gratefully acknowledges the indication that claims 17-18 are allowed and that claims 7-8 and 15-16 contain patentable subject matter. By means of the present amendment, claims 7 and 15-16 have been written in independent form, and claim 14 has been cancelled without prejudice.

Accordingly, it is respectfully submitted that independent claims 7 and 15-16 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claim 8 should also be allowed at least based on its dependence from amended independent claim 7.

In the Office Action, claims 1-13 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,231,113 (Blasbalg). However, it is believed that the intended rejected claims are not claims 1-13, but rather claims 1-6 and 9-13 since, as noted above (and on page 7, item 12 of the Office Action), it

was indicated that claims 7-8 would be allowable if rewritten in independent form. Further, claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,272,705 (Okamoto) in view of U.S. Patent No. 4,237,537 (Pitches). As noted above, claims 10-14 has been cancelled without prejudice. Further, independent claim 4 has been amended to emphasize a feature thereof. Claim 4 was not amended in order to address issues of patentability and Applicant respectfully reserves all rights he may have under the Doctrine of Equivalents. It is respectfully submitted that claims 1-6 and 9 are patentable over Blasbalg for at least the following reasons.

Blasbalg is directed to an anti-jam communication system where binary information signals to be transmitted are combined with a pseudo-random signal. A transmitter circuit is shown in FIG 1 and described on column 3, lines 55-66, and column 5, lines 48-68. The transmitter includes a pseudo-random noise generator 12 that provides a pseudo-random noise sequence to a modulo-2 adder 14 which, in turn, provides a modified pseudo-random noise sequence to a buffer 16.

It is respectfully that the buffer 16 is not analogous to the storage device recited in independent claim 1. In particular, the output of the Blasbalg buffer 16 is converted to analog format for

transmission. That is, the Blasbalg buffer 16 is used to accumulate bits until their number reaches the required number of bits for transmission of a signal whose location in the frequency spectrum is varied in a pseudo-random fashion, as recited on column 5, lines 15, and column 5, line 68 to column 6, line 1.

In stark contrast, the present invention as recited in independent claim 1 requires that:

a storage device that is configured to store data corresponding to the unpredictable sequence of bits, to facilitate a verification of receipt of the unpredictable sequence of bits by a receiving system. (Emphasis added)

A storage device to store data to facilitate a verification of receipt is nowhere taught or suggested in Blasbalg, which merely teaches a buffer 16 that accumulate bits for transmission in a frequency spectrum that is varied in a pseudo-random fashion, not for verification of receipt.

Similarly, Blasbalg teaches a receiver shown in FIG 3, where a buffer 36 stores pseudo-random noise received from a pseudo-random noise generator 32. The buffer 36 provides the pseudo-random noise to a digital to analog converter 28 for mixing in a mixer 44.

In stark contrast, the present invention as recited in independent claim 1 requires that:

a receiver that is configured to receive a modulation corresponding to a random bit sequence only,

a detector that is configured to detect the random bit sequence from the modulation, and

a storage device that is configured to store data corresponding to the random bit sequence, to facilitate a verification of receipt of the random bit sequence. (Emphasis added)

A storage device that is configured to store data corresponding to the random bit sequence received by the receiver is nowhere taught or suggest in Blasbalg. The Blasbalg buffer 36 does not store pseudo-random noise received by the Blasbalg receiver. Rather, the Blasbalg buffer 36 store pseudo-random noise generated by the pseudo-random noise generator 32 of the receiver itself.

Accordingly, it is respectfully submitted that independent claims 1 and 4 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3, 5-6 and 9 should also be allowed at least based on their dependence from independent claims 1 and 4, as well as for the separately patentable elements contained in each of the dependent claims.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Applicant reserves the right to

submit further arguments in support of the above stated position as well as the right to introduce relevant secondary considerations including long-felt but unresolved needs in the industry, failed attempts by others to invent the invention, and the like, should that become necessary. In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. #9,703  
Attorney for Applicant(s)  
August 29, 2005

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**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101

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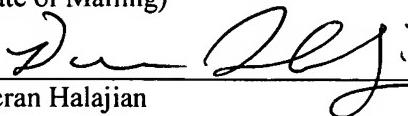
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